

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 11  
 )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
 )  
Debtor. )  
 )  
JAMES A. KNAUER, CHAPTER 11 TRUSTEE )  
OF EASTERN LIVESTOCK CO., LLC, )  
 )  
Plaintiff, )  
 ) Adversary Proceeding No. 11-59086  
v. )  
 )  
WILLIE DOWNS; )  
BLUEGRASS STOCKYARDS, LLC; )  
BLUEGRASS STOCKYARDS EAST, LLC; )  
BLUEGRASS STOCKYARDS OF )  
RICHMOND, LLC; )  
and LAUREL LIVESTOCK MARKET, INC., )  
 )  
Defendants. )  
 )  
FRIONA INDUSTRIES, L.P., )  
 )  
Plaintiff, )  
 ) Adversary Proceeding No. 11-59093  
v. )  
 )  
EASTERN LIVESTOCK CO., LLC, et al., )  
 )  
Defendants. )  
 )  
and )  
 )  
CACTUS GROWERS, INC., )  
 )  
Intervenor, )  
 )  
v. )  
 )  
EASTERN LIVESTOCK CO., LLC, et al., )

and )  
 )  
J & F OKLAHOMA HOLDINGS, INC., )  
 )  
Intervenor, )  
 )  
v. )  
 )  
EASTERN LIVESTOCK CO., LLC, et al., )  
 )  
Defendants. )

**SECOND AMENDED NOTICE OF DEPOSITION OF JIM AKERS**

TO: Jim Akers  
Chief Operating Officer of the Bluegrass Companies  
1218 Liggett Avenue  
Lexington, KY 40508

c/o Laura Day DelCotto  
DelCotto Law Group  
200 North Upper Street  
Lexington, KY 40507  
*Counsel for the Bluegrass Companies*

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, made applicable in the above-captioned adversary proceedings by Rule 7030 of the Federal Rules of Bankruptcy Procedure, James A. Knauer, Chapter 11 Trustee of Eastern Livestock, Co., LLC, by and through the undersigned attorneys, will take the oral deposition of **Jim Akers on September 11, 2012, at 9:00 a.m., local time, at the offices of Wyatt, Tarrant & Combs LLP, Lexington Financial Center, 250 W. Main Street, Suite 600 Lexington, KY 40507.** The deposition will be conducted before a notary public or other officer permitted by law to administer oaths and will be recorded by stenographic and/or video means.

The undersigned counsel has not yet made arrangements for participating by phone, but will make this information available upon request closer to the deposition. Those participating by phone do so at their own risk, as the deposition will not be postponed or delayed if phone problems should occur.

The deposition will be taken for the purpose of discovery, for use at hearings and trials, and for all other uses permitted by the Federal Rules of Civil Procedure, Federal Rules of Evidence, and the Federal Rules of Bankruptcy Procedure. You are invited to attend and cross-examine.

FAEGRE BAKER DANIELS LLP

By: /s/ Harmony Mappes

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*Counsel for James A. Knauer, Chapter 11 Trustee*

## CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on September 4, 2012, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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/s/ Harmony Mappes